

OCT 27 2005

VIA FACSIMILE NO.: 571-273-8300 (3 pages)

Date: October 27, 2005

Attorney Docket No.: 100717-587 Bayer 10254-WCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Heinz Gunter Weissenberg, et al.
Serial No. : 10/602,282
Filed : June 24, 2003
For : PRESSURE SATURATION AND PRESSURE
RELEASE OF LIQUIDS FOR INTRODUCTION INTO
A FLOTATION CELL
Art Unit : 1724
Examiner : Thomas M. Lithgow

October 27, 2005

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the Restriction requirement dated September 27, 2005 in the above-identified patent application, Applicants elect Group I, claims 1-35, drawn to a pressure saturation apparatus (dissolver), with traverse.

The Examiner has imposed a restriction requirement between claims 1-35, drawn to a pressure saturation apparatus (dissolver) (denoted Group I by the Examiner) and claims 36-44, drawn to a flotation cell and saturator (denoted Group II by the Examiner).

Reconsideration and withdrawal of the restriction requirement is respectfully requested. Any search of the pressure saturation apparatus would be certain to include a search of the flotation cell and saturator; and any search of the flotation and saturator would be certain to include a search of the pressure saturation apparatus.

Accordingly, no additional burden would be placed on the Patent Office in searching both groups together. By contrast, a very great burden will be placed on Applicants if this restriction requirement is maintained. Applicants will be subjected to twice the cost and effort in prosecuting two patent applications for an invention that should have been included in one, and will also be subjected to the continuing expense of maintaining two separate patents, whereas only one should be required to cover the full invention.

In addition, an additional burden will be placed on the public, in that the full scope of Applicants' invention will not be ascertainable from a single patent, and the public will have to find and study two separate patents to ascertain the full scope of Applicants' exclusive rights.

The great additional burden that will be placed on Applicants and the public in maintaining the restriction requirement is far greater than the slight, if any, additional burden that will be placed on the Patent Office in withdrawing the Restriction Requirement.

It is therefore respectfully requested that the Examiner withdraw the restriction requirement.

In the event that the Examiner does not find it possible to withdraw the Restriction Requirement, it is respectfully requested that the non-elected subject matter be rejoined with the elected subject matter upon allowance of elected subject matter.

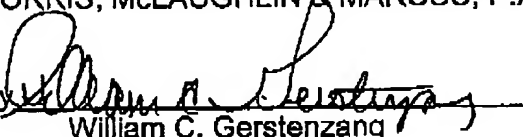
CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

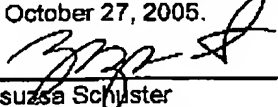
Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, P.A.

By 
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I hereby certify that this correspondence is being transmitted via facsimile no 571-273-8300 to the United States Patent and Trademark Office, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2005.

By 
Zsuzsa Schuster
Date October 27, 2005